

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA
(PHILADELPHIA)**

IN RE:)
ANTHONY J. COSTANZO,)
KIMBERLY A. KATCHEN-COSTANZO,)
)
DEBTOR.)
)
US BANK TRUST NATIONAL ASSOCIATION,)
NOT IN ITS INDIVIDUAL CAPACITY BUT)
SOLELY AS OWNER TRUSTEE FOR VRMTG)
ASSET TRUST.)
)
CREDITOR)
)
AND SCOTT F. WATERMAN,)
TRUSTEE)
)
RESPONDENTS)

**CASE NO.: 24-11448-AMC
CHAPTER 13
JUDGE ASHELY M. CHAN**

OBJECTION TO CONFIRMATION OF PLAN

COMES NOW, US Bank Trust National Association, Not In Its Individual Capacity But Solely As Owner Trustee For VRMTG Asset Trust, (“Secured Creditor”) by and through its undersigned attorneys, and for its Objection to Confirmation of Debtors Chapter 13 Plan, herein states and alleges as follows:

1. This Court has exclusive jurisdiction over this proceeding. Debtor filed this Petition under Chapter 13 of the United States Bankruptcy Code on or about April 30, 2024.
2. Secured Creditor holds a lien over Debtor’s property described as 532 South Taney Street, Philadelphia, PA 19146.
3. As of the petition date, Secured Creditor’s estimated secured claim is \$131,757.03 and the underlying loan matures on November 13, 2027. Secured Creditor will file its Proof of Claim by the bar date, with the approximate arrears of \$131,757.03, which is above the arrearage of \$80,594.71

listed on Debtor's Plan. Debtor checked-marked the box in the Plan stating no disbursements to be made by the Trustee. Creditor needs clarification.

4. Therefore, the plan fails 11 U.S.C. §1322 (b)(2)-(3), and pursuant to 11 U.S.C. §1325 (a)(5) the plan cannot be confirmed.

WHEREFORE, US Bank Trust National Association, Not In Its Individual Capacity But Solely As Owner Trustee For VRMTG Asset Trust, prays that its Objection to Confirmation of Plan be sustained, and for all further relief as is just and proper.

Respectfully submitted,

/s/ Joshua I. Goldman
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Counsel for Creditor

CERTIFICATE OF SERVICE

I hereby certify that on or before May 31, 2024, I caused a true and correct copy of the foregoing to be served either by CM/ECF notice to those so authorized, and first-class mail as indicated to the parties reflected on the attached.

DEBTOR

ANTHONY J. COSTANZO
532 S TANEY ST
PHILADELPHIA, PA 19146-1045

DEBTOR

KIMBERLY A. KATCHEN-COSTANZO
532 S TANEY ST
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DEBTORS COUNSEL

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TRUSTEE

SCOTT F. WATERMAN [CHAPTER 13]
CHAPTER 13 TRUSTEE
2901 ST. LAWRENCE AVE.
SUITE 100
READING, PA 19606

U.S. TRUSTEE

UNITED STATES TRUSTEE
OFFICE OF UNITED STATES TRUSTEE
ROBERT N.C. NIX FEDERAL BUILDING
900 MARKET STREET
SUITE 320
PHILADELPHIA, PA 19107

Respectfully submitted,

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